

**BOSTON PRIMARY SCHOOL**  
**SCHOOL CODE OF CONDUCT POLICY**

**1 PREAMBLE**

Boston Primary School is committed to providing an environment that is conducive to teaching and learning by:

- 1.1 Promoting the rights and safety of all learners, educators and parents.
- 1.2 Ensuring learners take responsibility for their own actions and behaviour.
- 1.3 Prohibiting all forms of unfair discrimination and intolerance.
- 1.4 Eliminating disruptive and offensive conduct.

The Code of Conduct spells out the rules regarding learner behaviour at school and describes the disciplinary system to be implemented by our School concerning transgressions by learners. The code of Conduct applies to all learners while they are on the School premises or when they are away from the School representing it or attending a School function.

Section 8(4) of the SA Schools Act provides that all learners attending a School are bound by the Code of conduct. The administration of the Code of Conduct is the responsibility of the Principal, staff and Disciplinary Committee of the School.

**2 LEGISLATIVE FRAMEWORK**

The Code of Conduct for Learners at Boston Primary School has been drawn up in terms of the following legislation:

- 2.1 The Constitution of the Republic of South Africa 1996, Act No. 108 and the Bill of Rights included in the constitution.
- 2.2 South African Schools Act, 1996 (Act No. 84 of 1996) as amended.
- 2.3 Guideline for the consideration of Governing Bodies in adopting a code of conduct for learners, in Government Gazette No 18900.
- 2.4 General manual for the suspension and expulsion of learners from public schools (excluding public schools for learners who were referred or transferred to such schools in terms of the child care act, 1983 (act 74 of 1983), and/or the criminal procedure act, 1977 (act 51 of 1977)), in circular 0030/99 – Provincial Administration Western Cape – Education Department.

**3 LEGAL AUTHORITY**

The South African Schools Act, Act No. 84 of 1996, section 8(1) empowers a governing body of a school to maintain discipline in a school. The Code of Conduct must prescribe behaviour that respects the rights of learners and educators.

- 3.1 An educator at the school shall have the same rights as a parent to control and discipline a learner according to the Code of Conduct during the time the learner is in attendance at the school, in any classroom, at any school function or school excursion or other school related activities.

3.2 The principal or an educator, upon reasonable suspicion (sufficient information), has the legal authority to conduct a search of any learner or property in possession of the learner for a dangerous weapon, firearm, drugs, or harmful dangerous substance, stolen property, or pornographic material brought onto the school property. During a search human dignity shall be observed and learners shall be searched in private by persons of their own gender, preferably in the presence of at least one other person. A record must be kept of the search proceedings and the outcome.

#### **4 PURPOSE/AIM OF THE CODE OF CONDUCT**

- 4.1 To ensure that the vision and mission of the school is achieved
- 4.2 To protect the rights of learners and educators
- 4.3 Teaching takes place
- 4.4 School is free from drugs, gangs, bullying, sexual abuse etc.
- 4.5 All the learners, educators and parents are aware of the Code of Conduct at school
- 4.6 Respect property
- 4.7 Promote culture of tolerance and respect for the human rights of others.
- 4.8 To facilitate learning and teaching at schools.
- 4.9 To ensure that there is order and discipline in schools.
- 4.10 To promote and clarify the roles and responsibilities for learners.
- 4.11 To provide for legitimate disciplinary measures.

#### **5 DEFINITION OF CODE OF CONDUCT**

The Code of Conduct is a document that lays down clear guidelines about what is acceptable and unacceptable behaviour in a school. It is similar to the school rules. The aim of the School's code of conduct is: Create a proper learning environment. In the past schools depended on meting out corporal punishment as a way of enforcing compliance. But the Constitutional Court has outlawed corporal punishment in line with the South African School Act (SASA) act No 84 of 1996(10) (1). The code of Conduct principle was laid down in SASA, where it was stated that the function of a Code of conduct is: "to establish a disciplined and purposeful school environment".

#### **6 ADOPTION OF CODE OF CONDUCT FOR LEARNERS**

This Code of conduct is an integral part of the school and must be adopted by all stakeholders for "ownership" purposes.

#### **7 FEATURES OF THE CODE OF CONDUCT FOR LEARNERS**

Consists of the following:

- 7.1 Aims of the code of conduct
- 7.2 Responsibilities of learners
- 7.3 Responsibilities of Educators with regard to learners
- 7.4 Responsibilities of Parents with regard to learners

- 7.5 School rules, regulations and Procedures
- 7.6 The scope of the Code of Conduct and its Legal implications
- 7.7 Disciplinary Procedures.

## **8 THE MAIN PROVISIONS OF THE CODE OF CONDUCT FOR LEARNERS**

The primary factor dictating behaviour of learners is that they should at all times be committed to their responsibilities of learning at school. This implies that their behaviour has to constitute a disciplined and tolerant manner of dealing with each other, with the teachers as well as the environment.

## **9 INFRINGEMENTS OF THE CODE OF CONDUCT**

Dealing with infringements must always be informed by the following Fundamental principles:

- 9.1 The disciplinary process must be fair, just, corrective and educative.
- 9.2 Avoid public humiliation.
- 9.3 The parent/guardian of the student must be informed and be involved in the process of correcting the behaviour.

## **10 SCHOOL RULES**

The School rules are intended to establish a disciplined and purposeful environment to facilitate effective teaching and learning at our School. Nothing shall exempt a learner from complying with the School rules. Ignorance of School rules is, therefore, not an acceptable excuse.

## **11 GENERAL PRINCIPLES**

- 11.1 Learners are expected at all times to behave in a courteous and considerate manner towards each other, all members of staff and visitors to the School.
- 11.2 Learners are expected to abide by the School rules with regard to appearance and behaviour when representing the School both during School hours and after School hours, at school and away from School. Learners may not say or do anything that will discredit themselves or the School.
- 11.3 No learner has the right at any time to behave in a manner that will disrupt the learning activity of other learners, or will cause another learner physical or emotional harm.
- 11.4 The School will contact parents/guardians when a learner's behaviour becomes a cause of concern and will endeavour, in a spirit of constructive partnership, to resolve the problem.

## **12 SCHOOL AND CLASS ATTENDANCE**

Parents/guardians, learners, teachers and School Governing Body (SGB) members are jointly responsible for ensuring that all learners attend School.

- 12.1 If a learner does not attend School regularly, the relevant grade educator will report the absence of the learner to the parent and the Principal. The educator must keep an accurate

register of learner attendance and must keep copies of all communication to parents when absence from the classroom is reported.

12.2 All learners are to arrive at School before the official starting time. Learners who are late for School will be marked as being late and letters sent to parents. Registers are completed at the beginning of each School day.

12.3 Absence from a class, without the permission of the educator or subject educator, is prohibited:

12.3.1 Any absence from School must be covered by an absentee note from a parent/guardian.

12.3.2 Should a learner be absent from School for a period of three (3) days or longer, this leave of absence must be supported by a letter from a medical doctor/parent/guardian.

12.3.3 Any absence from a formal examination, test or task must be supported by a letter from a medical doctor/parent/guardian.

12.3.4 No learner may leave the School during School hours without a letter from a parent/guardian requesting the release of their child and the permission of the Principal/Deputy Principal /Grade Leader. The child must be signed out by the parent or guardian at the secretary's office. All learners leaving early are to be collected from Reception.

12.3.5 Truancy from School is prohibited.

12.3.6 All learners will attend assembly for the full duration thereof.

### **13 SCHOOL UNIFORM AND GENERAL APPEARANCE**

13.1 Learners are expected to wear the official Boston School uniform (as appears in the Prospectus) and appear neat and tidy at all times.

13.2 No additions to the uniform that are not in accordance with the regulations will be allowed.

13.3 No jewellery, accessories, colour contact lenses or visible tattoos are allowed. Only stud or sleeper earrings may be worn by girls.

13.4 No colouring of hair or wearing of extreme hairstyles are not allowed.

13.5 No coloured hair grips and hair band accessories, only white Alice bands

13.6 Fingernails must be kept trimmed short and clean at all times. Nail polish is not allowed.

13.7 During events that allow the wearing of casual wear, learners should wear neat, presentable and age appropriate clothes. Beachwear, tight-fitting clothes, clothes that are see through and/or too revealing are not allowed. Hair, shoes and accessories should be neat at all times.

13.8 Only learners that have applied, submitted relevant supporting documents and received the necessary permission from the School may deviate from official School uniform for religious and cultural reasons.

13.9 Girls scarves must be navy blue.

13.10 PE uniform includes regulation Boston sports uniform.

13.11 Takkies are not to be worn with formal uniform.

13.12 Navy blue blazers are compulsory for Grade 4 to Grade 7 learners.

#### **14 VALUABLES AND PERSONAL BELONGINGS**

The School will not be held responsible for theft of or damage to personal belonging on school premises (e.g. cell phones, bags, books and clothing).

14.1 Learners should not bring cell phones, large sums of money and valuables to School. Cell phones to be switched off on entering the School premises and may only be switched on again after school / sport & culture. If a parent requests a learner to pay School fees on his/her behalf, such School fees should be paid before the start of the School day.

14.2 Learners may not bring computer games, iPods or similar electronic devices to School. Refer to the BYOD Policy for E-learning devices.

#### **15 COMMUNICATION**

Parents visiting the School are required to report to the School Reception and may not, under any circumstances, visit the classrooms during teaching time. All visitors are to use the main entrance gate of the School in Lincoln street and not access the School via the other gates. No parents are allowed to enter the School premises via the learner gates in 17<sup>th</sup> Avenue, 15<sup>th</sup> Avenue or Gladstone street.

#### **16 GENERAL RULES**

Golden Rule: One person speaks at a time

16.1 Loitering and/or playing in and around the corridors, stairs and toilets is forbidden.

16.2 All litter must be placed in refuse bins or wastepaper baskets.

16.3 Wilful damaging, vandalizing or neglect of School property and the property of others, either by writing or by a physical act, is prohibited. Theft of School and private property is also prohibited.

16.4 Any act of cheating in class work, homework, informal and formal tests or internal or external examination is prohibited. Furthermore, copying of and/or borrowing another learner's work is forbidden.

16.5 Disruptive, unruly, rude and/or offensive behaviour will not be tolerated.

16.6 The timeous handing in of work is the responsibility of each learner.

16.7 The learner will respect the beliefs, culture, dignity and rights of other learners, as well as their right to privacy and confidentiality.

16.8 Language that is seen as discriminatory or racist is prohibited.

16.9 Any act that demeans or humiliates another learner's culture, race or religion is prohibited.

16.10 All learners have the right to an education free of interference, intimidation and/or physical abuse. The learner will respect the property and safety of other learners. Fighting or threatening of other learners is forbidden.

16.11 The learner will respect those learners in positions of authority. A learner who is in a position of authority will conduct him/herself in a manner befitting someone in authority. She/he will respect the rights of other learners and will not abuse such authority bestowed upon him/her through his/her position.

16.12 The carrying, copying, sharing and/or reading of offensive material are prohibited.

16.13 Learners must keep clear of areas that are indicated as out of bounds. These include:

- the playing fields Electrical mains distribution boxes, fire extinguishers and hoses.
- Parking lots.

## **17 RULES GOVERNING PUBLIC PLACES**

The School is a place of safety where laws pertaining to public spaces are applicable.

17.1 No dangerous objects or illegal drugs as defined in the SA schools Act may be brought onto and/or used on the School property. Dangerous objects include knives, firearms or any item that could harm a person.

17.2 The carrying and /or smoking of cigarettes, e-cigarettes or any other tobacco product is prohibited.

17.3 Alcohol is not permitted on School premises or during any School activity.

17.4 The carrying of and/or consumption of illegal chemical substances and drugs is prohibited.

## **18 TRANSPORT**

Learners using public transport, lift clubs or transport provided by the School must abide by the School rules when in transit. Transport providers are expected to adhere to the School rules as they assume the role of parents.

## **19 SCHOOL SPORT AND CULTURE PROGRAMME**

Involvement in activities making up the School Sport and Culture Programme forms a valuable and integral part of the holistic education of every learner. All learners are expected to become actively involved in at least two (2) sport or cultural activity per term.

19.1 The learner is expected to adopt the correct etiquette pertaining to the specific activity at all times.

19.2 Once a learner has committed himself/herself to an activity, he/she will be bound to meet the rules and obligations related to that activity.

19.3 Involvement in a particular activity will span the entire season/duration in which that activity takes place.

- 19.4 Attendance of all practices is compulsory. Missing a practice without a valid excuse in writing from the learner's parents may result in the learner being suspended from participation in one (1) inter-school league fixture.
- 19.5 Appropriate kit/uniform will be worn to practices.
- 19.6 The correct match kit/uniform will be worn to inter-school league fixtures.
- 19.7 Learners travelling to an away fixture will travel in full School uniform, unless other arrangements have been made.
- 19.8 Sports and other kit must be carried in an appropriate bag.
- 19.9 Learners playing in home league fixtures may arrive at the venue in their appropriate sports kit/uniforms.

## **20 ACCOMMODATION OF RELIGIOUS OR CULTURAL RIGHTS**

Religious practices, conduct or obligations that relate to the core values and beliefs of a recognised religion and that are in conflict with any rule contained in this code of Conduct will be accommodated by a deviation from this Code of conduct by the Governing Body under the following conditions:

- 20.1 The Learner, assisted by the parent, must apply for a deviation from the standard School rules if such rules are in conflict with or infringe on any religious right of the learner.
- 20.2 This application must be in writing and must identify the specific rule/s that is/are offensive to the learner's religious right/s as contained in the Constitution of the Republic of South Africa.
- 20.3 This application must include a reasonable interpretation of the religious right that the learner feels are offensive and a suggestion on how the rules may be supplemented by the Governing Body to accommodate such religious rights.
- 20.4 The learner must provide proof that she/he belongs to that specific religion and THAT THE RELIGIOUS PRACTICES, RULES AND OBLIGATIONS THAT ARE IN CONFLICT WITH THE Schools Code of Conduct are his/ her true beliefs and commitments.
- 20.5 The religious conduct or practice must be lawful.
- 20.6 The Governing Body will consider the application and, if it is satisfied that the application is justified in terms of Constitutional principles, the application will be granted in writing.
- 20.7 When Governing Body allows for deviations from the standard rules, such deviations must be based on core religious beliefs inherent to the religion, and it must be compulsory for the learner to comply with such beliefs.
- 20.8 The deviation must specify the extent of the exemption from the normal rules and must clearly identify the conduct that will be allowed – e.g. the wearing of a head scarf, including colours and details of design; or the wearing of a specific hairstyle or jewellery – and the conditions under which such deviation will be applicable to the learner.

20.9 Cultural rights will be considered in the event that they do not relate to a religion, if such cultural rights manifest in conduct of a permanent nature that is compulsory for the cultural group. This refers to cases where the removal of the cultural jewellery or mark will cause considerable pain to the learner. Normally, cultural rights are exercised through marks and expressions of a temporary nature that are justified for a specific cultural gathering. The learner must convince the Governing Body that his/her cultural rights can be exercised only through a permanent intervention.

20.10 Any request for a deviation from the Code of conduct based on cultural rights must be in writing.

## **21 WHAT IS MISCONDUCT?**

Misconduct: means misconduct committed by a learner and includes the following:

- misconduct committed on the premises of a school, whether during or outside of school hours:
- misconduct committed during any school activity, irrespective of whether it is committed within or outside the school premises, and during or outside of school hours; and any conduct, committed in or out of school uniform and within or outside the school premises,

Which:

21.1 tends to bring the school into disrepute;

21.2 interferes with the governance, authority and proper administration of the school;

21.3 interferes with the conditions necessary for any school activity;

21.4 subject to the reasonable exercise of the right to assemble, demonstrate, picket and petition as provided in the constitution, 1996 and the code, is committed with the intention of preventing any person from exercising his or her rights, powers or duties as a member of the school community, or is committed in retaliation against such exercise; or

21.5 is prohibited by the code of the school; “prosecutor” means the principal of the school or an educator appointed by the principal to present the case against a learner; “representative” means a parent of a learner, a co-learner or any other person chosen by the learner to represent the learner at a disciplinary hearing;

21.6 “School days” means days of the week, excluding Saturdays, Sundays, public holidays and school holiday;

21.7 “Serious misconduct” means misconduct as contained in Schedules 1 and 2.

## **22 DUE PROCESS**

DUE PROCESS guarantees a learner a fair hearing before a learner may be suspended for a period of one week or be expelled from the school by the Head of the Education Department. The SGB will keep a record of the proceedings of the hearing. During the hearing the learner will be allowed legal representation.

## **23 SERIOUS MISCONDUCT AND THE LAW**

Serious misconduct will be investigated by the police and handled in terms of the Government notice and regulations promulgated by the Members of the Executive Council in the Provincial Gazette of the provinces concerned.

## **24 THE RIGHTS OF LEARNERS**

### **24.1 Democracy:**

All learners and partners at school have the democratic right to due process and to participate in decision – making about matters affecting them at school.

### **24.2 Non-Discrimination and Equality:**

No person may unfairly discriminate against a learner.

### **24.3 Privacy, respect and dignity:**

Every learner has inherent dignity and has the right to have his/her human dignity respected

### **24.4 Non-violence and the freedom and security of a person:**

Every learner has the right not to be treated or punished in a cruel, inhuman or degrading manner. Corporal punishment has been abolished. Learners have the right not to be locked up in solitary confinement or detention

### **24.5 Freedom of expression and right to demonstrate present petitions:**

The right to freedom is not absolute. Vulgar words, insubordination and insults are not protected speech. When the expression leads to disruption in school, this right can be limited. Learners have the right to agreed procedures with the SGB for expressing and resolving school-related grievances. Problems or issues should, as far as possible be resolved at school.

### **24.6 School Environment:**

Learners have the right to a clean and safe environment that is conducive to education.

### **24.7 Education:**

24.7.1 The South African Schools Act provides that education is compulsory for learners from the year in which such learners reach the age of 7 years until 15;

24.7.2 In cases of suspension and expulsion, placement in an alternative school setting;

24.7.3 Education and learning can be successful; learners have to be committed to self-development.

- 24.7.4 The right to education includes the right to attend all classes, to learn and be taught in all approved subjects, to be informed about school progress and to make use of all school facilities.

## **25 RESPONSIBILITIES OF LEARNERS**

### 25.1 School and Classroom Rules:

Classroom rules are designed to give effect specifically to the relationship between educators and learners in the classroom. All learners will to be provided with a copy of the classroom

rules:

- 25.1.1 Learning and School work;
- 25.1.2 Learners must commit themselves to do their work during classes;
- 25.1.3 Completed assigned homework and catch up on work missed because of absence. Disruption at school is unacceptable.

### 25.2 Security and Care of School Property:

- 25.2.1 It is the privilege and obligation of every learner to protect and carefully use all the facilities and equipment so that others that come after them can also enjoy the privilege.
- 25.2.2 The parent or legal guardian of anyone who intentionally misuse, damages or defaces any school property should replace it or pay for the property which has been damaged.

### 25.3 School Attendance:

- 25.3.1 Learners to attend school regularly during school hours. When a learner is absent his/her parent or legal guardian must notify the school to explain his/her absence;
- 25.3.2 Learners should actively participate in the learning process and decision making and have the opportunity to talk about their problems;
- 25.3.3 There should be a relationship of mutual trust and respect between learners and educators;
- 25.3.4 the school may demand a medical certificate from the parents if patterns of chronic absenteeism is observed.

## **26 RESPONSIBILITIES OF PARENTS WITH RESPECT TO THE CODE OF CONDUCT**

The ultimate responsibility for learner's behaviour rest with their parents or guardians. Parents are expected to:

- 26.1 Support the school, and require learners to observe all school rules and regulations and accept responsibility for any misbehaviour on their part;
- 26.2 Take and active interest in their children's school work and make it possible for the children to complete their homework;
- 26.3 Parents should attend meetings;
- 26.4 Parents attending sports matches are not to interfere with the teachers/coaches/umpires. Parents found to be in contravention of this rule will be requested to leave the venue;
- 26.5 Parents are not to interfere with teacher's/coaches selection of teams;
- 26.6 Parents are responsible for the transport of learners to and from sporting venues held after school hours.
- 26.7 No parent or family member of a learner may interfere with, interrupt, visit a class or disturb any teacher during the official school day, including during lunch breaks or during the Sports and Culture activities.
- 26.7 No parent or family member may interact with, talk to or hand items to their own child or any other children without first reporting to Reception. Talking to children through the School fence or gates during school hours is strictly prohibited.
- 26.8 Parents dropping off learners or waiting to collect learners after School are not allowed to enter the School premises but are to wait outside.

## **27 DISCIPLINARY SYSTEM**

Self-discipline and considerate behaviour are essential to the smooth running of a School. All learners will abide by the disciplinary system that has been developed to assist and guide learner behaviour in the school.

### **27.1 Grading of Offences:**

Offences are graded according to the nature and degree of seriousness of the offences, of which Level 4 offences are the most serious. See Annexure B, Table 1 for a list of offences making up each of the Levels 1, 2, 3 and 4.

The Level of an offence will determine the procedure to be followed:

- 27.1.1 Level 1 offence – verbal reprimand, a written warning followed by a final written warning, then a disciplinary hearing.
- 27.1.2 Level 2 offence – a final written warning followed by a disciplinary hearing, then a tribunal hearing.
- 27.1.3 Level 3 offence – a disciplinary hearing or a tribunal hearing (depending on the severity of the particular offence).
- 27.1.4 Level 4 offence – offence immediately reported to the South African Police Service (SAPS) and a tribunal hearing.

## 27.2 Level 1 Offences:

- 27.2.1 All Level 1 offences will be dealt with by the educators who must keep a written record of such offences and the disciplinary measure taken.
- 27.2.2 When a third Level 1 offence occurs, the matter is referred to the Grade Leader along with the record of all three (3) offences and the Grade Head will issue a written warning. A signed copy of acknowledgement will be kept on record by the Grade Head and communicated to the parent/guardian.
- 27.2.3 Should the particular Level 1 offence recur after disciplinary intervention has occurred and a written warning has been issued, the staff member will, in consultation with the Grade Leader, arrange an interview with the learner. A final written warning will be issued. A signed copy of acknowledgement will be kept on record by the Grade Leader and communicated to the parent/guardian.
- 27.2.4 The Grade Leader will keep on record copies of all relevant documentation relating to the offences and the disciplinary measures imposed and provide copies thereof to the learner's grade educator.

## 27.3 Level 2 Offences:

- 27.3.1 All Level 2 offence will immediately be referred to the Grade Leader. The staff member will, in consultation with the Grade Leader, arrange an interview with the learner. A final written warning will be issued and disciplinary action applied. A signed copy of acknowledgement will be kept on record by the Grade Leader and communicated to the parent/guardian.
- 27.3.2 When a second Level 2 offence occurs after a final written warning has been issued for the first offence, the Grade Leader will refer the matter to the Disciplinary committee for a disciplinary hearing. The parent/guardian will be advised in writing, a minimum of five (5) days before the designated date that an internal disciplinary hearing has been convened.
- 27.3.3 Should the particular Level 2 offence recur after the issuing of a final written warning and a disciplinary hearing has occurred, the Disciplinary Committee will refer the matter to a tribunal hearing. The parent/guardian will be advised in writing, a minimum of five (5) days before the designated date that a tribunal hearing has been convened.

27.3.4 The Grade Leader will keep on record copies of all relevant documentation relating to the offences and the disciplinary measures imposed and provide copies thereof to the learner's register teacher.

27.4 Level 3 Offences:

All Level 3 offence will immediately be reported to the Departmental Head (HOD). The HOD will refer the matter to the Principal or Deputy Principal who will, depending on the severity of the offence, determine whether to convene a disciplinary hearing or a tribunal hearing. The parent/guardian will be advised in writing, a minimum of five (5) days before the designated date that a hearing has been convened.

27.5 Level 4 Offences:

All Level 4 offences will immediately be reported to the Deputy Principal or Principal who will immediately file a report with the SAPS and convene a tribunal hearing. The parent/guardian will be informed immediately of the offence and be advised in writing, a minimum of five (5) days before the designated date that a hearing has been convened.

27.6 Disciplinary Interventions:

27.6.1 The following list of interventions and corrective measures used by the School are aimed at correcting behaviour before suspension and expulsion:

27.6.1.1 Verbal or Written warning;

27.6.1.2 Final written warning;

27.6.1.3 Time-Out - Removal from classes to a supervised venue

27.6.1.4 Time – out – During break times

27.6.1.5 Community service to improve the physical environment within and around the School property;

27.6.1.7 Disciplinary letter sent to parents

27.6.1.8 De-merits

27.6.1.9 Referral for counselling;

27.6.1.10 Attendance of a relevant life skills programme;

27.6.1.11 Fines to compensate for damages, to cover the cost of repair or replacement of the lost or damaged item, and/or the accumulated fine;

27.6.1.12 Temporary suspension of School-related privileges, which may include non-attendance of Farewells, Fun days or Excursions

27.6.1.13 Exclusion from School activities and functions, e.g. academic award ceremony; School Assembly

27.6.1.14 Withdrawal of recognition, e.g. award;

- 27.6.1.15 Temporary suspension from class or School, pending disciplinary hearing;
  - 27.6.1.16 Disciplinary hearing;
  - 27.6.1.17 Tribunal hearing.
- 27.6.2 Conduct that may lead to suspension/exclusion includes, but is not limited to, the following:
- 27.6.2.1 Conduct that violates the rights or safety of others;
  - 27.6.2.2 Criminal behaviour of any kind;
  - 27.6.2.3 Defacing or destroying school property;
  - 27.6.2.4 Disrespectful or objectionable conduct and verbal abuse directed at teachers, other school employees or fellow learners;
  - 27.6.2.5 Outright defiance of lawful requests or instructions issued by persons in authority;
  - 27.6.2.6 Indulging in harmful graffiti, racism or hate speech;
  - 27.6.2.7 Immoral behaviour or profanity;
  - 27.6.2.8 Possessing, using or displaying evidence of use of any narcotics, unauthorized drugs, alcohol or any other intoxicant;
  - 27.6.2.9 Repeated infringements of the school rules or the code of conduct;
  - 27.6.2.10 Possession of dangerous weapons (guns, knives and other objects which may threaten the lives of learners/teachers);
  - 27.6.2.11 Should a learner be found guilty by a court of law for breaking the law of the Republic of South Africa, the school has the right, after a fair hearing through the Governing Body, to recommend expulsion to the Provincial Department of Education;
  - 27.6.2.12 A tribunal hearing will be convened with a view to recommending expulsion. In such instances the recommendation for expulsion will be submitted to the Provincial Head of Education to approve the decision;
  - 27.6.2.13 Where approval for expulsion is not granted, learners will attend counselling or the relevant life skills programme before they may return to class. Such learners will be accommodated in the exclusion room in the interim to continue with school work until they have completed the series of counselling sessions or the stipulated life skills programme.

27.7 Suspension of a Learner by the Principal or Deputy Principal as a pre-cautionary measure:

The Governing Body authorises the Principal or Deputy Principal to institute suspension, as a precautionary measure, with regard to a learner who is charged with a serious misconduct offence as contemplated in section 8 of the SA Schools Act.

27.7.1 Before a learner is suspended, the learner and his/her parents will be given an opportunity to indicate why the suspension should not be considered;

27.7.2 The disciplinary proceedings must commence within one (1) week after the suspension. If the proceedings do not commence within one (1) week, approval for the continuation of the suspension must be obtained from the Head of Department;

27.7.3 This suspension will be applicable until a finding of not guilty is made or, in the case of a finding guilty, until the appropriate sanction is announced.

## 27.8 Disciplinary and Tribunal Hearings:

The following official forms will be used for misconduct and disciplinary hearings:

27.8.1 Written warning (disciplinary warning form) (Annexure) 1

27.8.2 Final written warning (Annexure) 2

27.8.3 Notice of disciplinary hearing (Annexure) 3

27.8.4 Record of disciplinary hearing (Annexure) 4

27.8.5 Review from (lodging of appeal) (Annexure) 5

27.8.6 Written notice of a disciplinary or tribunal hearing will be given at least five (5) school days before the hearing, which could imply temporarily suspension from classes, excluding formal scheduled tests and examinations which count towards the year mark.

27.8.7 When a notice is issued to a learner the learner must acknowledge receipt of notice by signing for it. This is not an admission of guilt.

27.8.8 If a learner does not appear at a hearing, the hearing will be conducted in his/her absence.

27.8.9 A written verdict of the hearing will be issued to the offender. The offender must acknowledge the content by signing the document.

27.8.10 A learner has the right to request a review of the disciplinary action taken against him/her if sufficient grounds exist. Disregard of punishment of the Disciplinary Committee will lead to temporary suspension pending a hearing.

27.8.11 The Disciplinary Hearing Committee will consist of the following members:

- Governing Body representative;
- the School Principal or Discipline Officer delegated to oversee this function;
- the Grade Leader; and

- the grade educator.
- The hearing will also be attended by the learner, and any other learners/hemay need his/her defence.

27.8.12 Disciplinary measures that a Disciplinary Hearing Committee may impose include:

27.8.13 Demerits.

27.8.14 Suspension from school for a minimum of two days up to a maximum of five (5) days, ratified by the Governing Body, to be effective immediately. This will be put in writing and a copy kept on record.

27.8.15 Recommendation with respect to counselling /attendance of a life skills programme.

27.8.16 Progress monitoring process initiated for a minimum of two (2) weeks, followed up by a progress report.

27.8.17 A written conduct and behaviour warning issued. A signed copy of acknowledgement will be kept on record.

27.8.19 Payment to cover the cost of repair or replacement of the damaged, lost or stolen item.

27.8.20 The Tribunal Hearing Committee will consist of the following members:

- the Governing Body Chairperson;
- two (2) parent representatives from the Governing Body;
- the School Principal or Discipline Officer delegated to oversee this function;
- the Grade Head.

The Principal /Discipline Officer will keep on record copies of all documentation relating to the offence, the conduct and findings of the hearing, and the disciplinary measures imposed.

The Principal/Discipline Officer will furnish the relevant Grade Head and register teacher with all the information necessary for their records.

## 27.9 Procedure during Hearing:

The Chairperson of the Committee will lead proceedings and:

- Introduce those present and state their functions;
- Ensure that witnesses are present only while giving their evidence.

The Chairperson must inform the learner of his/her rights:

27.9.1 The right to a formal hearing.

27.9.2 The right to be present at the hearing.

27.9.3 The right to be given time to prepare for the hearing case.

27.9.4 The right to be given advance notice of the charges.

- 27.9.5 The right to be represented at the hearing by one (1) internal representative.
- 27.9.6 The right to be accompanied at the hearing by parents/guardian if the learner is a minor.
- 27.9.7 The right to ask questions on any evidence produced or on statements of witnesses.
- 27.9.8 The right to call witnesses to testify on his /her behalf.
- 27.9.9 The right to an interpreter .to be requested 24 hours prior to the hearing.
- 27.9.10 The right to appeal within five (5) days against any penalty imposed by the Disciplinary Committee.
- 27.9.11 If the learner does not attend, the hearing will be conducted in his/her absence.
- 27.9.12 The Chairperson is to explain the nature of the alleged breach or misconduct to those present at the hearing.
- 27.9.13 The procedure of enquiry is to be explained by The Chairperson. The evidence of the complainant and his/her witnesses will be heard first. The learner and panel may ask questions about the evidence. The learner and his/her witnesses may then give evidence and the complainant and Committee may ask them questions.
- 27.9.14 When all the evidence has been heard, The Chairperson must close the enquiry; dismiss the complainant, the accused, their representatives, the parent/guardian and all the witnesses.
- 27.9.15 The Disciplinary Committee must discuss and weigh the evidence and come to a decision.
- 27.9.16 The Chairperson must reconvene all interested parties.
- 27.9.17 The Chairperson is to communicate the decision of The Committee.
- 27.9.18 The Chairperson must explain the decision of The Committee and the reasons for the penalty (if any) that has been imposed.
- 27.9.19 The Complainant and learner must sign the disciplinary form and a copy must be handed to the learner (If the learner refuses, a witness must sign in the presence of the learner).
- 27.9.20 The learner must be advised of his right to appeal (Annexure E).
- 27.9.21 The signing of the document by the learner does not imply an acknowledgement of guilt.

#### 27.10 Tools to be Used:

- Disciplinary Procedures
- Disciplinary annexures

#### 27.11 Procedures for non-compliance of this Policy:

Disciplinary procedures, in line with the learners' code of conduct (SASA)

27.12 Date of Formulation:

This policy was formulated in 2019 and will be updated after the next SGB Election

27.13 Date of Review and Terminology Update:

This policy will be reviewed and terminology will be updated at the beginning of the next academic year, or if directives are issued by the Education Department or if amendments are made to the SASA Act 1996.

**Annexure A**

**BOSTON PRIMARY SCHOOL**

**Learner Commitment**

I, \_\_\_\_\_, a learner at Boston Primary School, understand the rules and their implications and hereby commit to:

- Abide by the Code of Conduct and Disciplinary System.
- Behave in a courteous and considerate manner and respect other learners, the LRC, all members of staff and visitors to the School.
- Treat everyone with respect regardless of differences in culture, religion, ability, race, gender, age, sexual orientation or social class.
- Take responsibility for my learning by attending regularly and punctually and completing all my assessment tasks on time.
- Cooperate with my teachers and other School staff.
- Assist in making the School a safe place for all.

- Seek help if I need it.
- Let the School know if I feel my rights have been infringed, or if I experience any other difficulty.

\_\_\_\_\_  
**Learner**

\_\_\_\_\_  
**Parent/Guardian**

\_\_\_/\_\_\_/\_\_\_  
**Date**

**Annexure B**

**BOSTON PRIMARY SCHOOL**

**LIST OF OFFENCES**

Level 1 Offence	Level 2 Offence	Level 3 Offence	Level 4 Offence
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<ul style="list-style-type: none"> <li>• excessively noisy or unruly behaviour</li> <li>• eating, drinking or chewing gum during any contact time (class and assembly)</li> <li>• misconduct in an assembly</li> <li>• entering an out of bounds area, classroom or passage without permission</li> <li>• loitering in the passages, at the tuck shop at the toilets or change rooms</li> <li>• misconduct or poor sportsmanship during an extra-mural activity's practice, intra- or inter-School competition or league fixture</li> <li>• failure to: <ul style="list-style-type: none"> <li>– submit an absentee note or exit notes by the stipulated deadlines</li> <li>– return a library book by the due date</li> <li>– attend an extramural activity's practice session without excusing him/herself</li> <li>– attend a compulsory activity without submitting a written excuse letter prior to the event</li> </ul> </li> </ul>	<p>vandalism</p> <ul style="list-style-type: none"> <li>• interfering other peoples' possessions/ property without the owner's consent</li> <li>• damaging another person's possessions/ property as a result of interfering or using said possession</li> <li>• racism: remarks/ insults</li> <li>• forgery: altering of official documents such as medical certificates and qualifications and fraudulent use thereof</li> <li>• intimidation by verbal or physical threat to harm the person or his property (bullying)</li> <li>• swearing, lying or using obscene gestures</li> <li>• verbal or non-verbal abuse</li> <li>• disrespect or insolence</li> <li>• insubordination – ignoring or failing to carry out a specific instruction</li> <li>fighting, common assault or attempted assault</li> <li>• public disturbance and public indecency</li> <li>• gambling</li> <li>• failure to attend</li> </ul>	<p>possession of weapons that can cause physical injury (knives, etc.)</p> <ul style="list-style-type: none"> <li>• entering the School premises while under the influence of alcohol/drugs</li> <li>• possession, copying, distribution, use or displaying of pornographic material</li> <li>• assault with the intent to do grievous bodily harm</li> <li>• truancy from School or leaving School grounds without the necessary permission</li> <li>• taking part in any form of illegal strike action/ meeting/campaign on School premises</li> <li>• any learner who, in or outside of the buildings, or on or off the premises of the School, whilst under the control of the School authorities, intentionally conducts himself in a manner which is or could be seriously detrimental to the maintenance of order or discipline at the School</li> <li>violating the rights of other learners to</li> </ul>	<p>Use of weapons that cause physical injury (knives, etc.)</p> <ul style="list-style-type: none"> <li>• possession and/or use of a firearm, firearm magazine, ammunition, dangerous or lethal weapon</li> <li>• possession, using and/or dealing in drugs, or alcohol, or any other intoxicating substance</li> <li>• poisoning, or attempting to poison another person</li> <li>• theft, robbery, breaking and entering</li> <li>• malicious damage/ injury to property of the School, staff members, fellow learners or any other person or body</li> <li>• rape, attempted rape, or indecent assault</li> <li>• physical assault that results in bodily harm</li> <li>• sedition or inciting any form of illegal strike action/meeting/ campaign on School premises</li> <li>• Any offence punishable under common law</li> </ul>
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<p>– attend detention</p> <ul style="list-style-type: none"> <li>• continual interference with another learner which causes minor physical or mental discomfort</li> <li>• misconduct during detention</li> <li>• minor infringements of uniform regulations</li> <li>• failure to wear the correct full School uniform when in a public place, including the wearing of unauthorised items</li> <li>• failure to wear the correct sports kit for a match or practice</li> <li>• disruptive behaviour in class</li> <li>• spitting in public</li> <li>• failure to: <ul style="list-style-type: none"> <li>– do classwork set and submit homework</li> <li>– bring the required textbooks, notes, stationery, or equipment to a lesson</li> <li>– hand work in on time</li> </ul> </li> <li>• copying another learner’s classwork or homework</li> <li>• defacing School property</li> </ul>	<p>detention without prior submission of a written excuse or note</p> <ul style="list-style-type: none"> <li>• unacceptable hair styles, including bleaching or colouring</li> <li>• display of visible tattoos</li> <li>• using a cell phone as a means of communication during formal testing</li> <li>• cheating, attempting to cheat, or having forbidden material or information in a test venue during controlled testing (class tests, term tests, internal exams). This includes any form of communication, verbal or non-verbal, with another learner</li> <li>• copying of computer exercises, projects or any other work</li> <li>truancy from any contact time</li> <li>• possession or use of fire crackers</li> <li>• failure to attend an extra-mural activity fixture or function as a participant</li> <li>• any action which brings the School’s name into disrepute</li> </ul>	<p>receive education by disrupting classes, preventing other learners from attending classes, preventing teachers from providing teaching, or in any other manner</p> <ul style="list-style-type: none"> <li>• violating the rights of the teacher to carry out his/her tasks, to the detriment of the School, the staff, the teacher, or fellow learners</li> <li>• unreasonable repetition of a Grade 2 offence</li> </ul>	
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<ul style="list-style-type: none"><li>• reporting late for class</li><li>• use of offensive material to cover books or files</li><li>• possession and/or use of a cell phone, computer game, iPod and similar electronic devices, during all contact time</li><li>• arriving late for School without an excuse note</li></ul>	<ul style="list-style-type: none"><li>• possession of offensive material, excluding pornographic material</li><li>• tampering with safety and other equipment on School premises</li><li>• unreasonable repetition of a Grade 1 offence</li></ul>		
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**List of the possible disciplinary sanctions to be applied for Level 1, 2, 3 and 4 offences, respectively. Each case must be evaluated on its own merits and must be provided with a sanction justified for that specific case. The recommended sanctions provided in this table are guidelines for the Disciplinary Committee.**

<b>LEVEL 1 OFFENCES</b>	<b>RECOMMENDED CORRECTIVE SANCTIONS</b>
1. Academic: Books/work materials left at home; homework -not done on time/copied 2. Extra-mutual activity: Non-attendance at practices and matches (without a valid excuse to teachers/coach) 3. Personal conduct in classroom/on playground: Inappropriate displays of affection between learners; late arrival for class; uncooperative behaviour; discourteous behaviour/insolence/temper tantrum; foul language; defacing desks/walls/books/cases with graffiti; eating/chewing in class; littering; and cell phone ringing 4. Dress code: Untidiness/unkept appearance; School dress code not followed	Corrective actions/sanctions are carried out by the individual teacher and may include the following: <ul style="list-style-type: none"> <li>• Verbal reprimand;</li> <li>• Written punishment;</li> <li>• Detention at break;</li> <li>• Subtracting marks (homework);</li> <li>• Temporary confiscation until the end of School term (e.g. uniform, jewellery, cell phones, bags and cases);</li> <li>• Removing graffiti from bags and cases at break;</li> </ul> and <ul style="list-style-type: none"> <li>• Written notification</li> </ul>

<b>LEVEL 2 OFFENCES</b>	<b>RECOMMENDED CORRECTIVE SANCTIONS</b>
1. Plagiarism of any work or cheating/attempted cheating in class test/assignment	Nought for test and warning letter
2. Damage to property/possession of other learners' property	Repair/replacement, warning letter and Principal's detention
3. Defiance/disregarding of an authority figure's instructions	Suspension from class, warning letter and Principal's detention
4. Detention – non-attendance	Making up missed detention, warning letter and an information hearing
5. Disregarding test/examination procedures	Warning letter and Principal's detention
6. Disruptive/uncooperative in class	Identification of culprit/s and grade teacher to organise corrective measures
7. Disruptive behaviour frustrating teaching and learning in the classroom	Warning letter and detention
8. Repeated dress code infringements (including hair and personal grooming)	After three (3) warnings, Principal's detention
9. Fighting	Warning letter and detention
10. Fire-crackers	Warning letter and detention
11. Forgery, e.g. parent/guardian's signature	Warning letter and detention
12. Gambling on or off School property	1st offence: Special detention 2nd offence: Special Detention 3rd offence: Information disciplinary hearing, Special detention and professional counselling (All money to be confiscated)
13. Graffiti: books, case, desks, walls, etc.	Removal, warning letter and Principal's detention
14. Late for School – three (3) days	Phone call to parents and detention
15. Late arrival at School after 8:20 am	Phone call to parents and Principal's detention
16. Lying	Warning letter and detention
17. Offensive material	Warning letter and detention
18. Smoking – possession of cigarette/holding	1st offence: Special detention

cigarette/caught in the act on/off School property	2nd offence: Special detention 3rd offence: Formal disciplinary hearing, special detention and professional counselling (All cigarettes and lighters to be confiscated)
19. Smoking – selling cigarettes on/off School Property	1st offence: Information disciplinary hearing, warning letter and special detention 2nd offence: Formal disciplinary hearing, warning letter and special detention
20. Spitting	Principal's detention
21. Sticking a sharp object, e.g. pin, pen, nib, etc. into a fellow learner	Warning letter and detention
22. Substance abuse – possession/sniffing of unauthorised substance, e.g. meths, benzene, thinners, etc.	Information hearing, warning letter and detention
23. Threatening assault/intimidation of a fellow learner	Phone call to parents and warning letter and detention
24. Truancy – bunking a lesson	Principal's detention
25. Truancy – bunking a day or part of a day	Phone call to parents, warning letter and detention
26. Vandalism – defacing/damaging/breaking School property	Phone call to parents, warning letter and detention
27. Verbal abuse of a fellow learner	Phone call to parents, repairs/payment of damages, warning letter and detention

<b>LEVEL 3 OFFENCES</b>	<b>RECOMMENDED CORRECTIVE SANCTIONS</b>
1. Alcohol – possession at School or on a School outing/smelling of liquor/under the influence at School or on School outing	Disciplinary hearing, warning letter, community service and detention
2. Assault on a fellow learner (causing bodily harm)	Suspension from class/School. Disciplinary hearing, warning letter, community service and detention
3. Bullying/Intimidation	Warning letter and community service and detention
4. Cheating/attempted cheating in examination/cycle test/portfolio work	Nought and warning letter
5. Cheating/attempted cheating in final Grade 12 examination	Implementation of official provincial procedures
6. Possession/distribution of test or examination material prior to test or examination being written	Disciplinary hearing, nought for test/examination, warning letter, community service, detention/
7. Ongoing disruptive behaviour in classroom (frustrating School's educational programme)	Suspension from class/School. Disciplinary hearing, warning letter, community service and detention
8. Disruptive behaviour on School property or on School sponsored fixture/outing/trip/tour (frustrating School's educational/extracurricular programme)	Suspension from class/School. Disciplinary hearing, warning letter, community service and detention
9. Engaging in a conspiracy to disrupt the proper functioning of School through collective action	Suspension from class/School. Disciplinary hearing, warning letter, community service and detention
10. Drugs – consumption not associated with School	Interview with parents, professional intervention
11. Gangs – promoting formation forming of/associating with/furthering activities of School gangs/'social groups'	Suspension from School. Disciplinary hearing, warning letter and detention
12. Involving/attempting to involve outsiders in disputes between learners	Disciplinary hearing, warning letter, community service and detention
13. Pornography – distribution at School	Warning letter, community service and detention
14. Public indecency	Disciplinary hearing, warning letter, community service and detention
15. Racist conduct that defames a learner/teacher	Suspension from class/School. Disciplinary hearing, warning letter, community service and detention
16. Improper suggestions of a sexual nature	Disciplinary hearing, warning letter, community service and detention
17. Sexual harassment of teacher/learner	Suspension from School. Disciplinary hearing, warning letter, community service and detention
18. Threatening to assault/intimidating a teacher	Suspension from School. Disciplinary hearing, warning letter, community service and detention

19. Verbal abuse of a teacher	Suspension from School. Disciplinary hearing, warning letter, community service and detention or expulsion
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<b>LEVEL 4 OFFENCES</b>	<b>RECOMMENDED CORRECTIVE SANCTIONS</b>
1. Alcohol – drinking/drank at School or on School or on School outing	Suspension from School. Disciplinary hearing, warning letter, community service and detention/expulsion
2. Alcohol – drinking in public	Suspension from School. Disciplinary hearing, warning letter, community service and detention/expulsion
3. Assault on a learner causing serious bodily harm	Suspension from School. Disciplinary hearing and expulsion
4. Assault on a teacher	Suspension from School. Disciplinary hearing and expulsion
5. Bribery/attempted bribery of any person respect of any test/examination material	Disciplinary hearing, warning letter, community service and detention/expulsion
6. Dangerous weapon or object, e.g. knife – possession at School	Suspension from School. Disciplinary hearing, appropriate punishment, e.g. community service, detention/expulsion
7. Dangerous weapon or object, e.g. firearm – possession at School/on School outing	Suspension from School. Disciplinary hearing, appropriate punishment, e.g. expulsion
8. Drugs/illegal substances – possession at School/on School outing	Suspension from School. Disciplinary hearing, warning letter, community service and detention
9. Drugs/illegal substances – consumption/under the influence at School/on School property	Suspension from School. Disciplinary hearing, warning letter, community service, detention and professional counselling
10. Drugs/illegal substances – dealing ('pushing') at School/on School outing	Suspension from School. Disciplinary hearing and expulsion
11. Forgery of any document or signature to the potential/actual prejudice of the School	Suspension from School. Disciplinary hearing, warning letter, community service and detention/expulsion
12. Fraud (financial)	Suspension from School. Disciplinary hearing, compensation, warning letter, community service and detention/expulsion
13. Hostage-taking	Suspension from School. Disciplinary hearing and expulsion
14. Satanic practices that damage property or cause harm to people or any other living creatures	Suspension from School. Disciplinary hearing, warning letter, community service, detention and professional counselling/expulsion
15. Sexual assault/rape	Suspension from School. Disciplinary hearing and expulsion
16. Theft/dishonest conduct to the prejudice of another person	Disciplinary hearing, replacement of stolen articles, warning letter, community service and detention / expulsion
17. Trading in test/examination material for personal monetary gain	Disciplinary hearing, warning letter, community service, detention/expulsion
18. Vandalism – malicious damage to School/teacher's property	Disciplinary hearing, repair damage, warning letter, community service and detention/expulsion

### SIGNATURES

<b>SGB CHAIRPERSON</b>	<b>SGB SECRETARY</b>	<b>PRINCIPAL</b>
<b>C. Clark</b>	<b>L Eksteen</b>	<b>N Mangalparsad</b>
Signature:	Signature:	Signature:
Date:	Date	Date: